

MINUTES OF THE REGULAR MEETING OF THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY

March 16, 2006

On March 16, 2006, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax.

CALL TO ORDER

FCRHA Chair Conrad Egan called the meeting of the FCRHA to order at 7:06 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
H. Charlen Kyle
Elisabeth Lardner
Al McAloon
Lee A Rau

ABSENT

John Litzenberger
Joan Sellers

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Kristina Norvell, Director, HCD Office of Public Affairs; Curtis Hall, Director, Information Systems and Services; Tom Fleetwood, Strategic Planner; John Payne, Director, Real Estate and Revitalization Division (R&R); Elisa Johnson, Grants Coordinator, R&R; Cynthia Ianni, Director, Design, Development and Construction Division (DD&C); Gordon Goodlett, Development Officer, DD&C; Steve Solomon, Director, Financial Management Division (FMD); Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Audrey Spencer-Horsley, Associate Director, REFGM; Louise Milder, Associate Director, REFGM; Steve Knippler, Housing Community Developer, IV, REFGM; Barbara Silberzahn, Chief, Homeownership and Relocation Services; Carol Erhard, Director, Housing Management Division (HMD); Marta Abebe, Lead Housing Services Specialist, (HMD); Bob Eiffert, Director, Senior Housing and Specialized Services Branch; and JoAnne Ibrahim, Administrative Assistant to the Director. Other Fairfax County staff in attendance: Alan Weiss, and David Stroh, Assistant County Attorneys and FCRHA Counsel.

CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:07 p.m. Jane Kornblut, Vice Chair, Community Council on Homelessness, testified before the FCRHA. Ms. Kornblut informed the FCRHA that the Board of Supervisors and the Council have planned a conference,

entitled, *A Community Summit to End Homelessness*. The conference is being sponsored by Freddie Mac and will be held April 7, 2006, at Freddie Mac's conference center in Tysons Corner. Registration is by e-mail only because of limited spacing. Further information will be sent to Mary Stevens to be disseminated to the Commissioners. Ms. Kornblut gave a brief overview of what to expect at the conference and encouraged the FCRHA to attend and participate in the conference. Chairman Egan thanked Ms. Kornblut for her organization's work to end homelessness in Fairfax County. With no one else wishing to speak, the Chair closed Citizen Time at 7:10 p.m.

PUBLIC HEARINGS

The Chair opened the two public hearings at 7:11 p.m.

1. FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY ANNUAL PLAN FOR FISCAL YEAR 2007, PREPARED UNDER THE FEDERAL QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998

Paulette Whiteside, Chair of the FCRHA Resident Advisory Council, testified and expressed the Council's support for the plan. She noted that the Council had reviewed the plan, had some concerns which they shared with HCD Director Paula Sampson. She thanked Ms. Sampson for addressing those concerns and incorporating their suggestions in the plan.

The FCRHA Chair complimented the Advisory Council for the work they do and for the many meetings they attend regularly.

2. REVISED FALLS CHURCH/JAMES LEE/SOUTHGATE NEIGHBORHOOD IMPROVEMENT PROGRAM AND CONSERVATION PLAN

Donna Voight expressed support for the conservation plan but expressed concern about commercial encroachment near the community. Vanessa Ferguson, member of the James Lee Civic Association, the next speaker, voiced support for the revised plan and noted all the improvements done over the years, while also expressing concerns about infill development and traffic. She urged the FCRHA to approve the plan.

Chairman Egan thanked all who came and participated in the public hearing and encouraged them to stay for Action Item Number 2, which would be approving the plan.

With no other speaker in the audience wishing to speak, the Chair closed the public hearing at 7:18 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Jasper, seconded by Commissioner Kershenstein, that the FCRHA approve the Minutes of the February 2, 2006 Meeting as written. A vote was taken, and the motion carried, with Commissioner Christian abstaining.

Commissioner Egan noted that the agenda seems to be very challenging and encouraged brevity of comments. He announced that Commissioner Litzenberger will not be attending the meeting due to an unexpected engagement.

ACTION ITEMS

1. RESOLUTION NUMBER 20-06

APPROVAL TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY ANNUAL PLAN UPDATE FOR FISCAL YEAR 2007, PREPARED UNDER THE FEDERAL QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998

NOW THEREFORE, BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the submission of the Annual Plan Update for Fiscal Year 2007 contained in the item presented to the FCRHA at its meeting on March 16, 2006.

A motion was made by Commissioner Jasper, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 20-06. A vote was taken, and the motion carried unanimously.

2. RESOLUTION NUMBER 21-06, As Amended

APPROVAL OF THE REVISED FALLS CHURCH/JAMES LEE/SOUTHGATE NEIGHBORHOOD IMPROVEMENT PROGRAM AND CONSERVATION PLAN (PROVIDENCE DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the revised Falls Church/James Lee/Southgate Neighborhood Improvement Program and Conservation Plan and authorizes submitting this recommendation to the Fairfax County Board of Supervisors and the Falls Church City Council for final action.

A motion was made by Commissioner Christian, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 21-06.

After discussion, changes were made to the resolution, as indicated below:

RESOLUTION NUMBER 21-06, As Amended

APPROVAL OF THE REVISED AND UPDATED FALLS CHURCH/JAMES
LEE/SOUTHGATE NEIGHBORHOOD IMPROVEMENT PROGRAM AND
CONSERVATION PLAN (PROVIDENCE DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the revised Falls Church/James Lee/Southgate Neighborhood Improvement Program and Conservation Plan and authorizes submitting this recommendation to the Fairfax County Board of Supervisors and the Falls Church City Council for final action, with the following additional changes:

- 1) That the new document be named the "Revised and Updated Falls Church/James Lee/Southgate Neighborhood Improvement Program and Conservation Plan" (to more accurately reflect the fact that elements of the original Plan are still a part of the revised Plan but also to indicate that other areas have been revised and updated).
- 2) That language on page 24, number 2 of the revised document be changed to allow even more time for comments from the James Lee Civic Association regarding possible County Comprehensive Planning actions and to allow for more time for the FCRHA to coordinate obtaining those comments. The language that was in the document before the change is as follows:
- 3) The Said notice shall be provided within fifteen (15) days of the acceptance of such requests by the County. Following said notice, the Authority will coordinate the review of such requests by the community's Civic Association and will submit appropriate comments to the County within thirty (30) days prior to consideration of such amendments by the Planning Commission.

Next steps for the approval of the Plan by the Board of Supervisors is for the Board to authorize a public hearing before the Board on the revised Plan (this action to be taken at the March 27th Board of Supervisors Meeting). The Public Hearing would be held on May 1st, with Board action approving the Plan to be taken immediately after the Hearing.

The Chair thanked Mr. Knippler and other staff who were involved in the preparation of the plan, and thanked the many citizens who came out in support of the plan.

A vote was taken, the motion carried unanimously, and Resolution Number 21-06 was adopted as revised.

3. RESOLUTION NUMBER 22-06

AUTHORIZATION TO DRAW DOWN UP TO \$3,780,000 FROM THE TAX-EXEMPT
LINE OF CREDIT WITH THE BANK OF AMERICA TO PROVIDE INTERIM
FINANCING FOR THE ADULT DAY HEALTH CARE CENTER AT BRADDOCK GLEN
(BRADDOCK DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes draws as directed by the Chairman, Vice Chairman, or by any Assistant Secretary of up to \$3,780,000 from its line of credit with the Bank of America to be used as interim financing to pay for the Adult Day Health Care Center portion of the Braddock Glen Assisted Living project and interest costs associated with such financing as described in the item presented to the FCRHA at its March 16, 2006 meeting.

A motion was made by Commissioner Christian, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 22-06. A brief presentation was given by Louise Milder. After the presentation, Ms. Milder responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously. Commissioner Christian encouraged the Commissioners to attend the ribbon-cutting ceremony which will be held on May 13, at 10:30 a.m.

4. RESOLUTION NUMBER 23-06

AUTHORIZATION TO EXECUTE A CONTRACT AMENDMENT WITH
FALLS CHURCH CONSTRUCTION CORPORATION FOR THE
COMPLETION OF THE SOUTHGATE NEIGHBORHOOD COMMUNITY CENTER
(HUNTER MILL DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) Authorizes its Chairman, Vice Chairman, its Secretary or any Assistant Secretary to execute a contract amendment in an amount not to exceed \$211,000 above the originally approved contract amount of \$3,168,000 which includes the \$2,880,000 construction cost plus the 10% contingency for an amended contract amount not to exceed \$3,379,000 with Falls Church Construction Corporation.

A motion was made by Commissioner Rau, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 23-06. After discussion, a vote was taken, and the motion carried unanimously.

5. RESOLUTION NUMBER 24-06

AUTHORIZATION, SUBJECT TO APPROVAL OF THE BOARD OF SUPERVISORS,
TO REALLOCATE AND AUTHORIZE DISBURSEMENT OF UP TO \$40,000 IN
TIER ONE PREDEVELOPMENT FUNDS FROM THE AFFORDABLE HOUSING
PARTNERSHIP PROGRAM FUND OF THE HOUSING TRUST FUND AS A LOAN TO
AHC, INC. FOR THE PROPOSED ACQUISITION OF SUNSET PARK APARTMENTS
CONSISTING OF 90 UNITS (MASON DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes, subject to approval by the Board of Supervisors, the reallocation and disbursement of up to \$40,000 in Tier One Predevelopment funds from the Affordable Housing Partnership Program Fund of the Housing Trust Fund to AHC, Inc. for the purpose of conducting studies relating to the acquisition and rehabilitation of Sunset Park Apartments consisting of 90 units; and

BE IT FURTHER RESOLVED that, subject to approval by the Board of Supervisors, the FCRHA hereby authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary or appropriate in connection with the AHPP Tier One Predevelopment in the amount of \$40,000 from the Affordable Housing Partnership Program Fund of the Housing Trust Fund.

A motion was made by Commissioner McAloon, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 24-06. A brief presentation was given by Louise Milder. After the presentation, Ms. Milder responded to questions from the Commissioners. A vote was taken after discussion, by roll call as follows:

AYE

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
Charlen Kyle
Elizabeth Lardner
John Litzenberger
Lee Rau

NAY

John Kershenstein

ABSTAIN

The motion carried, with Commissioner Kershenstein voting nay.

6. RESOLUTION NUMBER 25-06

AUTHORIZATION TO ADVERTISE A PUBLIC HEARING BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ON MAY 4, 2006, TO RECEIVE PUBLIC COMMENT REGARDING ITS OPTION TO PURCHASE UP TO TWENTY-SEVEN AFFORDABLE DWELLING UNITS (ADUS) AT THE FAIRFIELD AT FAIRCHASE DEVELOPMENT PURSUANT TO SECTION 2-810 (2) OF THE FAIRFAX COUNTY ZONING ORDINANCE AND THE FCRHA POLICY ON THE ACQUISITION OF ADUS (SPRINGFIELD DISTRICT)

WHEREAS, pursuant to Section 2-810 (2) of the Fairfax County Zoning Ordinance, the FCRHA has an option to purchase up to one-third of all ADUs being offered for sale at any one development for up to 90 days after the offering is approved; and

WHEREAS, A Sales Offering Agreement for forty ADUs at the Legato Corner Condominium section of Fairfield at Fairchase, which has excellent access to the Government Center, is pending, plus a Sales Offering Agreement for another forty-two ADUs at the Bristol at Fairchase section is possible at a later time and thus the FCRHA will have the right to purchase at least 13 ADUs at this development, with the possibility of another fourteen, for a total of 27; and

WHEREAS, the FCRHA has received an initial analysis, pursuant to its ADU acquisition policy adopted May 22, 2003, of the suitability of acquiring up to 27 ADUs at the Fairchase Development and has deemed that a solicitation of public comments in connection with exercising its right to purchase up to 27 ADUs at the Fairchase Development is warranted; and

WHEREAS, the FCRHA ADU acquisition policy provides that a public hearing before the FCRHA must be held prior to a decision being made on the acquisition of an ADU at any development; and

WHEREAS, the FCRHA ADU acquisition policy also provides that unless ADUs are specifically purchased for the purpose of pooling for resale to a nonprofit owner within one year from acquisition, the FCRHA will limit its acquisitions to no more than 25 per year and ten or fewer at any one development; and

WHEREAS, the FCRHA acquisition ceilings in the acquisition policy of no more than 10 per project and 25 per year will have to be waived to allow for the acquisition of all 27 ADUs at the Fairchase Development.

NOW THEREFORE BE IT RESOLVED THAT the FCRHA authorizes advertisement of a public hearing regarding its option to purchase up to twenty-seven ADUs at the Fairchase Development to be designated for rental to Fairfax County government and school employees and critical occupation areas as determined by the

Board of Supervisors to be held at its next regular meeting on May 4, 2006, in accordance with the guidelines in its ADU acquisition policy, except that the acquisition ceilings in that policy of no more than 10 ADUs per project and 25 per year are to be waived, as applicable to the Fairchase development, to allow for the approval of acquiring more than ten ADUs at the Fairchase Development and more than 25 in FY 2006.

A motion was made by Commissioner Kershenstein, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 25-06. Brief comments were made by Commissioner Kershenstein in favor of approval of the item, noting that it would enable citizens such as police officers, firemen, etc., to obtain housing in the County. A presentation was given by Gordon Goodlett, Developer Officer, Design, Development and Construction Division. In his presentation, Mr. Goodlett clarified that the Commissioners are being asked to waive the policy limitation for the number of units the FCRHA can purchase in order to obtain these units. After further discussion, Mr. Goodlett responded to questions from the Commissioners. HCD Paula Sampson announced that the agency has received a letter of support for the project from the Board of Supervisors.

Commissioner McAloon suggested, and it was agreed, that the FCRHA review its acquisition policy at its May 4th meeting, and if agreed, make changes to prevent the FCRHA from missing opportunities to purchase available units.

After further discussion, a vote was taken, and the motion carried unanimously.

Commissioner Kershenstein thanked his colleagues for approving this item.

7. RESOLUTION NUMBER 26-06

AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING
AUTHORITY TO MAKE TWO LOANS TO GABRIEL HOMES, INC. OF UP TO AN
AGGREGATE OF \$310,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDS UNDER THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM
(HUNTER MILL DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes Paula C. Sampson, Assistant Secretary, to negotiate and authorizes the Chairman, Vice Chairman, or any Assistant Secretary of the FCRHA to execute all necessary documents to make two Affordable Housing Partnership Program Loans of up to an aggregate amount of \$310,000 in Community Development Block Grant (CDBG) funds to Gabriel Homes, Inc., for the purpose of paying the balances of the mortgages on two properties and to modify the structures as described in the item presented to the FCRHA at its meeting on March 16, 2006.

A motion was made by Commissioner Rau, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 26-06. A brief presentation was made by Louise Milder, after which she responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously.

8. RESOLUTION NUMBER 27-06

AUTHORIZATION, SUBJECT TO APPROVAL OF THE BOARD OF SUPERVISORS,
FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY TO
MAKE SIX LOANS TO HOMESTRETCH, INC. OF UP TO AN AGGREGATE OF
\$875,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE
AFFORDABLE HOUSING PARTNERSHIP PROGRAM
(PROVIDENCE AND SULLY DISTRICTS)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA), subject to the approval of the Board of Supervisors, authorizes Paula C. Sampson, Assistant Secretary, to negotiate and authorizes the Chairman, Vice Chairman, or any Assistant Secretary of the FCRHA to execute all necessary documents to make six Affordable Housing Partnership Program Loans of up to an aggregate amount of \$875,000 in Community Development Block Grant (CDBG) funds to Homestretch, Inc., for the purpose of acquiring up to six homes to be used as transitional housing for the homeless as described in the item presented to the FCRHA at its meeting on March 16, 2006.

A motion was made by Commissioner Christian, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 27-06. A brief presentation was made by Louise Milder, who noted that several units were available for the physically disabled. After the presentation, Ms. Milder responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously.

9. RESOLUTION NUMBER 28-06

AUTHORITY TO DELEGATE TO THE LOAN UNDERWRITING COMMITTEE THE
EXERCISE OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING
AUTHORITY'S EXCLUSIVE RIGHT TO PURCHASE AND RESELL AN AFFORDABLE
DWELLING UNIT (ADU) PURSUANT TO THE ZONING ORDINANCE ADU PROGRAM
AMENDMENTS ADOPTED BY THE FAIRFAX COUNTY BOARD OF SUPERVISORS
EFFECTIVE ON FEBRUARY 28, 2006

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) delegates the exercise of its decision to purchase or not

purchase an ADU from an owner and the decision for the FCRHA to take title or assign the contract to a qualified buyer will be delegated to the Loan Underwriting Committee under the following guidelines and criteria:

- All units offered for resale would be contracted for purchase by the FCRHA except for units already subject to covenants having the Renewable Resale Control Period in the then current form of ADU covenants. The FCRHA would subsequently purchase or assign the contract if the unit has acceptable condition of title and meets acceptable physical and environmental conditions as outlined below. A title report will need to show good and marketable title in the name of the seller and no liens that cannot be paid and satisfied out of the proceeds of the purchase price. An inspection of the unit with a report on the condition of the unit will be required to determine if the physical and environmental conditions of the property are satisfactory, as is, or if they can be corrected at a cost that would allow the unit to be resold at an affordable price to a family on the qualified First-time Homebuyers List.
- All units will be purchased by the FCRHA at no more than the applicable ADU control price as established in accordance with the ADU ordinance. The control price is inclusive of the lesser of the current fair market value or the actual original cost of certain improvements as determined by the FCRHA in accordance with its regulations as amended and approved by the FCRHA on October 28, 2004.
- The FCRHA will typically assign the contract to purchase to a qualified homebuyer with a condition of the contract and the assignment being that amended and restated covenants in the form of the then current covenants would be recorded and effective as express terms of the deed of resale in all cases.
- In cases where the LUC determines there is not a qualified first-time homebuyer for the unit at that time, or the unit is not marketable due to needed physical improvements at the time of purchase then the FCRHA would purchase the unit, record amended and restated covenants in the then current form, make necessary physical improvements and resell the unit to a qualified buyer.

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes the Director of the Department of Housing and Community Development, acting in his or her capacity as FCRHA Assistant Secretary, to negotiate and to execute purchase contracts on behalf of the FCRHA for ADU units offered to the FCRHA, to execute revised and restated ADU Covenants and to execute any and all deeds and other documents necessary or appropriate to effect the purchase, appropriate corrective work, if required, the assignment and resale of ADU Units to qualified First-Time Homebuyers.

A motion was made by Commissioner Dunn, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 28-06. A brief presentation was given by Barbara Silberzahn, Chief, Homeownership and Relocation Services. After the presentation, Ms. Silberzahn responded to questions from the Commissioners. Commissioner Kershenstein expressed concern regarding delegation of authority to the Loan Underwriting Committee. After discussion the Resolution was amended to read as follows:

9. RESOLUTION NUMBER 28-06, As Amended

AUTHORITY TO DELEGATE TO THE LOAN UNDERWRITING COMMITTEE THE
EXERCISE OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING
AUTHORITY'S EXCLUSIVE RIGHT TO PURCHASE AND RESELL AN AFFORDABLE
DWELLING UNIT (ADU) PURSUANT TO THE ZONING ORDINANCE ADU PROGRAM
AMENDMENTS ADOPTED BY THE FAIRFAX COUNTY BOARD OF SUPERVISORS
EFFECTIVE ON FEBRUARY 28, 2006

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) delegates the exercise of its decision to purchase or not purchase an ADU from an owner and the decision for the FCRHA to take title or assign the contract to a qualified buyer will be delegated to the Loan Underwriting Committee under the following guidelines and criteria:

- All units offered for resale would be contracted for purchase by the FCRHA except for units already subject to covenants having the Renewable Resale Control Period in the then current form of ADU covenants. The FCRHA would subsequently purchase or assign the contract if the unit has acceptable condition of title and meets acceptable physical and environmental conditions as outlined below. A title report will need to show good and marketable title in the name of the seller and no liens that cannot be paid and satisfied out of the proceeds of the purchase price. An inspection of the unit with a report on the condition of the unit will be required to determine if the physical and environmental conditions of the property are satisfactory, as is, or if they can be corrected at a cost that would allow the unit to be resold at an affordable price to a family on the qualified First-time Homebuyers List.
- All units will be purchased by the FCRHA at no more than the applicable ADU control price as established in accordance with the ADU ordinance. The control price is inclusive of the lesser of the current fair market value or the actual original cost of certain improvements as determined by the FCRHA in accordance with its regulations as amended and approved by the FCRHA on October 28, 2004.
- The FCRHA will typically assign the contract to purchase to a qualified homebuyer with a condition of the contract and the assignment being that

amended and restated covenants in the form of the then current covenants would be recorded and effective as express terms of the deed of resale in all cases.

- In cases where the LUC determines there is not a qualified first-time homebuyer for the unit at that time, or the unit is not marketable due to needed physical improvements at the time of purchase then the FCRHA would purchase the unit, record amended and restated covenants in the then current form, make necessary physical improvements and resell the unit to a qualified buyer.

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes the Director of the Department of Housing and Community Development, acting in his or her capacity as FCRHA Assistant Secretary, to negotiate and to execute purchase contracts on behalf of the FCRHA for ADU units offered to the FCRHA, to execute revised and restated ADU Covenants and to execute any and all deeds and other documents necessary or appropriate to effect the purchase, appropriate corrective work, if required, the assignment and resale of ADU Units to qualified First-Time Homebuyers.

BE IT FURTHER RESOLVED that (1) the Loan Underwriting Committee will make periodic reports to the FCRHA, preferably at each meeting. (2) In situations where repurchase involves issues of concerns, staff will report to the Chair; or in the absence of the Chair, the Vice Chair, before a decision is made.

A vote was taken after discussion, and Resolution Number 28-06, as amended, carried unanimously.

10. RESOLUTION NUMBER 29-06

AUTHORIZATION TO PURCHASE AND RESELL TO A QUALIFIED FIRST-TIME HOMEBUYER AN AFFORDABLE DWELLING UNIT (ADU) LOCATED AT 4359 WILSON VALLEY DRIVE, #102, FAIRFAX, VA 22033 (SULLY DISTRICT)

The above resolution was deleted from the agenda and therefore not considered.

11. RESOLUTION NUMBER 30-06

AUTHORIZATION TO PURCHASE AND RESELL TO A QUALIFIED FIRST-TIME HOMEBUYER AN AFFORDABLE DWELLING UNIT (ADU) LOCATED AT 7826 LIBERTY SPRINGS CIRCLE, ALEXANDRIA, VA 22306 (MOUNT VERNON DISTRICT)

The above resolution was deleted from the agenda and therefore not considered.

12. RESOLUTION NUMBER 34-06, As Amended

AUTHORIZATION TO ALLOCATE UP TO \$100,000 FOR CONSULTANT SERVICES
TO UNDERTAKE A GEOTECHNICAL SURVEY, ENVIRONMENTAL ASSESSMENT
PHASE I, FEASIBILITY AND LAND USE PLANNING ANALYSIS TO ASSESS THE
FUTURE POTENTIAL DEVELOPMENT OF THE NORTH HILL
(MOUNT VERNON DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby allocates \$100,000 from Fund 340, Housing Assistance Program, and authorizes staff of the Department of Housing and Community Development to proceed with the undertaking of contracts for consultant services for a geotechnical survey, environmental assessment phase I, feasibility and land use planning analysis to assess the future potential development of the North Hill.

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes Paula C. Sampson to negotiate these contracts and authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary and appropriate in connection with these contracts.

A motion was made by Commissioner Lardner, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 34-06, as amended.

A brief presentation was given by John Payne, Director of the Real Estate and Revitalization Division. After the presentation, Mr. Payne responded to questions from the Commissioners. After discussion and comments by several Commissioners, Commissioner Kershenstein suggested that because of environmental issues that have arisen at the site, the item be revisited after completion of a technical site analysis.

A vote was taken after discussion and the motion carried unanimously.

Commissioner Egan commended Commissioner Lardner for her leadership, Supervisor Hyland for his wise counsel and leadership, and HCD staff, for acting quickly to get the item done.

ADMINISTRATIVE ITEMS

1. RESOLUTION NUMBER 31-06

COMMENDING E. GORDON GOODLETT FOR HIS YEARS OF SERVICE
TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

WHEREAS, E. Gordon Goodlett has served as a Fairfax County employee since 1990 and an employee of the Department of Housing and Community Development since 1997; and

WHEREAS, he has had played a key role in the administration of the Affordable Dwelling Unit Ordinance on behalf of the Fairfax County Redevelopment and Housing Authority and served as the primary staff for the ADU Advisory Board; and

WHEREAS, in performing these duties he has done an exemplary job of representing the FCRHA with developers and with citizens seeking information on the ADU Program; and

WHEREAS, he has consistently provided the FCRHA with timely and accurate information on the status of the ADU program and has been instrumental in acquiring ADUS for the benefit of low and moderate income households and for participants in the Magnet Housing program; and

WHEREAS, on March 31, 2006, E. Gordon Goodlett will retire from Fairfax County after 16 years of distinguished service;

NOW THEREFORE BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority expresses its gratitude to E. Gordon Goodlett for his years of dedicated service to the community and to the FCRHA, and wishes him a happy, healthy, and prosperous retirement.

A motion was made by Commissioner McAloon, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 31-06. A vote was taken, and the motion carried unanimously.

The Chair thanked Mr. Goodlett for the excellent service he has given the FCRHA over the years and for his work in developing the ADU ordinance.

Mr. Goodlett said it has been so exciting working for the FCRHA and that he has developed mixed feelings about leaving HCD because the ADU Program is what he has always wanted to do. He indicated he would be willing to assist the FCRHA in any way he can, should the need arise.

In deference to Mr. Goodlett, Information Item Number 5 was move ahead to allow Mr. Goodlett to leave early.

INFORMATION ITEM

Affordable Dwelling Unit (ADU) Tracking Report – *brief discussion by Gordon Goodlett.*

ADMINISTRATIVE ITEMS Cont'd.

2. RESOLUTION NUMBER 32-06

AUTHORIZATION TO REVISE THE ADMINISTRATIVE PLAN FOR THE
HOUSING CHOICE VOUCHER PROGRAM TO INCORPORATE PROVISIONS
RELATED TO A NEW PROJECT-BASED VOUCHER PROGRAM

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority authorizes the revision of the Housing Choice Voucher Administrative Plan to include changes in definitions, owner selection criteria, requirements for rehabilitated and newly constructed units, housing assistance payment contracts, occupancy, rent to owner, and payments to owner as described in the U.S. Department of Housing and Urban Development's (HUD) Project-Based Voucher Program Final Rule published October 13, 2005, and as presented to the FCRHA at its meeting on March 16, 2006.

A motion was made by Commissioner Christian, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 32-06. A vote was taken, and the motion carried unanimously.

3. RESOLUTION NUMBER 33-06

APPROVAL OF NEW REVISED AFFORDABLE DWELLING UNIT (ADU) COVENANTS
PURSUANT TO THE ZONING ORDINANCE ADU PROGRAM AMENDMENTS
ADOPTED BY THE FAIRFAX COUNTY BOARD OF SUPERVISORS EFFECTIVE ON
FEBRUARY 28, 2006

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby approves the revised Declaration of Affordable Dwelling Unit Covenant for Rental ADU Developments, and the revised Declaration of Affordable Dwelling Unit Covenant for For-Sale ADU Developments, substantially in the form presented to the FCRHA at its meeting on March 16, 2006.

BE IT FURTHER RESOLVED that the FCRHA hereby approves such additional variant forms of the basic revised covenant documents approved in the preceding

paragraph that incorporate changes and variations to account for other circumstances addressed by the adopted amendment ZO-06-377 to the ADU Ordinance to include, but not limited to, condominium conversions requiring a change of ADU rental units to for-sale units, amended and restated ADU covenants that will be used in connection with resale of ADUs purchased by the FCRHA or assigned by the FCRHA and proffered conditions for ADU rental units, where applicable, in certain for sale condominium properties and modifications to reflect certain exceptions for rental and condominium conversions to the changed requirements for developments that had achieved certain development status as of the effective date of ZO-06-377.

A brief presentation was given by Barbara Silberzahn, Chief, Housing Ownership followed by further review and explanation by Assistant County Attorney David Stroh, presenting the changes that were made.

After the presentation, Mr. Stroh and Ms. Silberzahn responded to questions from the Commissioners.

A motion was made by Commissioner McAloon, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 33-04. A vote was taken after discussion, and the motion carried unanimously.

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner McAloon, that the Fairfax County Redevelopment and Housing Authority ("FCRHA"), meeting as a committee of the whole, go into Closed Session for (a) discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA and (b) consultation with legal counsel and briefing by staff members, pursuant to Virginia Code Section 2.2-3711(A)(7), pertaining to probable litigation and specific legal matters requiring the provision of legal advice by such counsel where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the FCRHA. The motion carried, and the FCRHA went into closed Session at 8:35 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Dunn, seconded by Commissioner Kershenstein that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered by the Fairfax County Redevelopment and Housing Authority during Closed Session.

A vote was taken by roll, as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> |
|-------------------|------------|----------------|
| Conrad Egan | | |
| Ronald Christian | | |
| Martin Dunn | | |
| Willard Jasper | | |
| John Kershenstein | | |
| Charlen Kyle | | |
| Elizabeth Lardner | | |
| John Litzenberger | | |
| Lee Rau | | |

The motion carried unanimously and Open Meeting resumed at 9:34 p.m.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, that the FCRHA authorize the County Attorney office to take all necessary actions, including legal action, as discuss in Closed Session against the eight properties that appear to be in violation of the MIDS program.

A vote was taken after discussion, and the motion carried unanimously.

A motion was made by Commissioner Rau, seconded by Commissioner Jasper, that the FCRHA hereby authorize the staff of the Department of Housing and Community Development to proceed with the acquisition of improved real property according to the terms and conditions outlined in Closed Session at the FCRHA meeting of March 16, 2006, subject to the approval of the Board of Supervisors. Be it further resolved that the FCRHA hereby authorizes Paula C. Sampson to negotiate this acquisition and authorizes the Chairman, Vice Chairman, or any Assistant Secretary to execute all documents and agreements necessary and appropriate in connection with this acquisition.

A vote was taken, and the motion carried unanimously.

INFORMATION ITEMS

1. Fairfax County Redevelopment and Housing Authority Meeting Summary – February 2006
2. Summary of the Board of Supervisors Housing Committee Meeting – February 6, 2006.
3. Contracts of \$50,000 or Less

4. FY 2005 Audited Financial Statements, Single Audit Statements and Management Letter Comments – *brief presentation by HCD Financial Management Director Steve Solomon. Mr. Solomon recognized Penny Xu and other Financial Management staff for their work. He thanked the FCRHA Commissioners for their support.*
5. Affordable Dwelling Unit (ADU) Tracking Report – *Considered earlier in the meeting.*
6. At-Risk Housing Projects Semiannual Report: Status of the Project-Based Section 8, Section 221(d)(3)/236, Low-Income Housing Tax Credit, Bond Financed Developments and Non-Subsidized Housing with Modest Rents in Fairfax County – *brief presentation by Management Analyst Michael Pearman and brief discussion.*
7. Notification of Grant Award for the Fiscal Year 2005 U.S. Department of Housing and Urban Development's Super Notice of Funding Availability (SuperNOFA) – *brief discussion*
8. Notification of Award of Allocation of Sponsoring Partnerships and Revitalizing Communities (SPARC) Mortgage Funds and Home Stride Downpayment and Closing Costs Assistance from the Virginia Housing Development Authority – *brief discussion*
9. Fairfax County Redevelopment and Housing Authority Calendar of Meetings – April and May 2006

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner McAloon, seconded by Commissioner Jasper, to adjourn the meeting at 10:00 p.m. A vote was taken and the motion carried unanimously.

(Seal)

Conrad Egan, Chair

Paula C. Sampson, Assistant Secretary